IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 14399 of 2004

Between:

1. Smt. S. Manemma W/o. Srinivas Reddy, aged 70 years, Occ: Household, R/o H.No.1-3 Gowdavalli Village, Medchal Mandal, Ranga Reddy District.

2. S. Padma Reddy S/o. Srinivas Reddy, aged 53 years, Occ: Agriculture, R/o H.No. 1-3 Gowdvalli village, Medchal Mandal, R.R.District. **.... PETITIONERS**

AND

1 Mandal Revenue Officer, Medchal Mandal, Ranga Reddy District.
2 Revenue Divisional Officer, Medchal Mandal, R.R.District East Division.
3 J. Muralidhar S/o. Claims to be adopted son of J. Amarnath Sastry, aged 66 years, Occ: Retired Teacher, R/o. 3-2-33, Avulamanda, Secunderabad.
.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass appropriate order by issuing a writ of Mandamus or like or any other appropriate writ or writs, declaring the action of the respondents in entering the name of dead person J. Amarnath Sastry by deleting the name of the father of the 2nd petitioner and husband of the 1st petitioner i.e., Srinivas Reddy, without any notice or enquiry as illegal, arbitrary and contrary to the principles of natural justice, effecting the right to life of the petitioners and be pleased to pass suitable order or orders, directing Respondent No.2 to consider and pass suitable orders on the proceedings No.A2/1414/2004 dated 25.06.2004 within 4 weeks from the date of the order of this High Court.

Counsel for the Petitioners: MR.BANKATLAL MANDHANI

Counsel for Respondents 1 and 2: GP FOR REVENUE

The Court at the admission stage made the following:

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ORDER:

The only grievance of the petitioners in this writ petition is that they filed a representation dated 13-06-2004 before the second respondent, who numbered the same in proceedings No.A2/1414/2004, dated 25-06-2004, for correction of revenue records for the period from 1996-1997 onwards by deleting the name of J. Amarnath Sastry, who is father of the third respondent, but the same has not been disposed of till now.

Learned counsel for the petitioners submits that it would suffice, if a direction is issued to the respondent officials to dispose of the said representation.

In view of the said submission, without going into the merits of the controversy, I am of the view that when the petitioners make a representation which was numbered by the second respondent on 25-06-2004, naturally he has to issue notice to the parties who are likely to be affected by any order which may be passed against them and only after hearing their objections he has to pass necessary orders.

Under these circumstances, the second respondent is directed to dispose of the representation of the petitioners after following the due procedure i.e., after issuing notice to the parties and after hearing their objections, if any, within a period of three months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No costs.

(A.GOPAL REDDY, J)

Date: 18-08-2004

ghn/lvl

To

1 Mandal Revenue Officer, Medchal Mandal, Ranga Reddy District.

2 Revenue Divisional Officer, Medchal Mandal, R.R.District East Division.

3. Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad.(O.U.T.)

4. Two CD copies